

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

IN RE:

Williams, Janit

Debtor(s)

Case No. 2:16-bk-12298

Judge Rosemary Gambardella

Chapter 13

**CHAPTER 13 PLAN AND MOTIONS**

☐ Original

☒ Modified/Notice Required

☒ Discharge Sought

☒ Motions Included

☐ Modified/No Notice Required

☐ No Discharge Sought

Date: August 19, 2016

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS WILL BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

- a. The debtor shall pay \$ 3,886.42 per month to the Chapter 13 Trustee, starting on 02/09/2016 for approximately 60 months.
- b. The Debtor shall make plan payments to the Trustee from the following sources:  
☒ Future Earnings  
☒ Other sources of funding (describe source, amount and date when funds are available):  
Rental Income, Daughter's Contribution, Son's Contribution
- c. Use of real property to satisfy plan obligations:  
☐ Sale of real property  
Description:  
Proposed date for completion: \_\_\_\_\_  
☐ Refinance of real property  
Description:  
Proposed date for completion: \_\_\_\_\_  
☐ Loan modification with respect to mortgage encumbering property  
Description:  
Proposed date for completion: \_\_\_\_\_
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

## Part 2: Adequate Protection

- a. Adequate protection payments will be made in the amount of **\$3,673.23** to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to **U.S. Bank, NA/Nationstar Mortgage, LLC, P.O. Box 619096, Dallas, TX 75261** (creditor).
- b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to \_\_\_\_\_ (creditor).

## Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
<b>Law Office of Dionne Wade</b>	<b>Attorney fee</b>	<b>1,000.00</b>

## Part 4: Secured Claims

### a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
<b>None</b>					

### b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
<b>US Bank, NA/ Nationstar Mortgage, LLC</b>	211 Lawrence Street, Paterson, New Jersey (Debtor's Primary Residence)	<b>190,000.00</b>	<b>190,000.00</b>	<b>0.00</b>	<b>647,256.28</b>	<b>6.00%</b>	<b>220,393.94</b>

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

### c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

None			
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**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

**None**

**e. Secured Claims to Be Paid in Full Through the Plan**

Creditor	Collateral	Total Amount to be Paid through the Plan
<b>U.S. Bank, NA/Nationstar Mortgage, LLC</b>	<b>211 Lawrence Street, Paterson, New Jersey</b>	<b>\$220,393.94</b>

**Part 5: Unsecured Claims**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

Not less than \$ \_\_\_\_\_ to be distributed *pro rata*

Not less than \_\_\_\_\_ percent

☒ *Pro Rata* distribution from any remaining funds

**b. Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
<b>None</b>			

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
<b>None</b>		

**Part 7: Motions**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
<b>None</b>							

**b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
<b>None</b>		

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
<b>US Bank, NA/ Nationstar Mortgage, LLC</b>	211 Lawrence Street, Paterson, New Jersey (Debtor's Primary Residence)	<b>190,000.00</b>	<b>457,256.28</b>

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

☒ Upon Confirmation  
☐ Upon Discharge

**b. Payment Notices**

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) **Trustee Commissions**
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**
- 6) **General Unsecured Claims**

**d. Post-petition claims** The Trustee [ ] is, [X] is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification**

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: 2/9/2016

Explain below <b>why</b> the Plan is being modified.	Explain below <b>how</b> the Plan is being modified.
<b>Initial plan did not address secured creditor, Nationstar Mortgage, LLC</b>	<b>Cramdown of First Mortgage; addresses post-petition escrow arrears</b>

Are Schedules I and J being filed simultaneously with this Modified Plan? [ ] Yes [X] No

**Part 10: Sign Here**

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 08/19/2016 /S/ Dionne L. Wade

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Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 08/19/2016 /S/ Janit Williams

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Debtor

Joint Debtor

**Certificate of Notice Page 6 of 6**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Janit Williams  
 Debtor

Case No. 16-12298-RG  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf901

Page 1 of 1  
 Total Noticed: 14

Date Rcvd: Aug 23, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 25, 2016.

db  
 515989559 +Janit Williams, 211 Lawrence Street, Paterson, NJ 07501-1130  
 +Bank Of America, NA, 450 American Street, #SV416, Attention: Bankruptcy Department,  
 Simi Valley, CA 93065-6285  
 515989560 +Capital Acceptance Corp, 2424 Kennedy Street, NE, Minneapolis, MN 55413-2806  
 515989561 +Capital One Bank (USA) NA, P.O. Box 30281, Salt Lake City, UT 84130-0281  
 515989562 Chase BP Private Label, P.O. Box 15928, Wilmington, DE 19850  
 515989563 City Of Paterson, City Hall Revenue Collection Division, Paterson, NJ 07505  
 515989564 +Jefferson Loan Co, Inc, 42 Fairview Terr, #E, Paramus, NJ 07652-2733  
 515989565 ++LONG BEACH ACCEPTANCE CORP, PO BOX 183853, ARLINGTON TX 76096-3853  
 (address filed with court: Long Beach Acceptance Corp, 1 Mack Center Drive, Ste 2,  
 Paramus, NJ 07652)  
 515989566 +Out Fast Bail Bonds, 516 Broadway, Paterson, NJ 07514-2835  
 516222531 +U.S. Bank National Association, as Trustee, succes, Nationstar Mortgage LLC,  
 P.O. Box 619096, Dallas, TX 75261-9096  
 515989567 +Verizon, P.O. Box 4830, Trenton, NJ 08650-4830  
 515989568 +Wells Fargo / The Avenue, P.O. Box 182789, Columbus, OH 43218-2789

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 smg E-mail/Text: usanj.njbankr@usdoj.gov Aug 23 2016 23:05:02 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Aug 23 2016 23:04:57 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235

TOTAL: 2

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 25, 2016

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 22, 2016 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor U.S. Bank National Association, Et Al...  
 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Dionne L. Wade on behalf of Debtor Janit Williams dionnewade@optonline.net  
 Marie-Ann Greenberg magecf@magtrustee.com

TOTAL: 3